

FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

April 17, 2023

Christopher M. Wolpert  
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GUY ROSENSCHEIN,

Defendant - Appellant.

No. 23-2017

(D.C. No. 1:16-CR-04571-JCH-1)

(D. N.M.)

**ORDER**

This matter is before the court on appellant Guy Rosenschein's *Motion to Supplement the Record*, as supplemented, in which he seeks to supplement the record on appeal through the inclusion of:

1. The following exhibits from the suppression hearing the district court conducted beginning on July 27, 2020 (the "Suppression Hearing"), each of which Mr. Rosenschein submits may be publicly filed: Exhibits B, C-1, C-2, D-1, D-2, E, F, I, J, K, L, N, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AL, AM, and AN;
2. The following exhibits and partial exhibits from the Suppression Hearing, each of which Mr. Rosenschein requests remain under seal: pages 43-44

and 269-340 of Exhibit A, as well as Exhibits G, H, Q, R, S, T, U, V, W, AH, AI, AJ, and AK; and

3. Media exhibits C-2, D-2, and X, each of which will be conventionally filed.

Upon consideration:

- A. The court grants the motion to supplement the record with a publicly-filed volume that contains the exhibits Mr. Rosenschein submitted as Attachment A to his April 11, 2023 second supplement to the motion to supplement the record.
- B. The court grants the motion to supplement the record with a provisionally-sealed volume that contains the exhibits Mr. Rosenschein attached to his April 14, 2023 third supplement to the motion to supplement the record. The sealing of that volume is subject to reconsideration by the panel of judges that will later be assigned to consider this appeal on its merits, unless the court orders otherwise, however, the electronic and paper copies of that volume of the record will be and remain under seal.
- C. The court grants the motion to supplement the record with conventionally-filed copies of Hearing Exhibits C-2, D-2, and X, copies of which Mr. Rosenschein's counsel previously transmitted to this court.

Entered for the Court  
CHRISTOPHER M. WOLPERT, Clerk



by: Lisa A. Lee  
Counsel to the Clerk